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Federal questions and
responses

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DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES



MARC RACICOT
GOVERNOR

PETER S. BLOUKE, PhD
DIRECTOR

STATE OF MONTANA

P.O. BOX 4210
HELENA, MONTANA 59604-4210

August 1, 1994

Howard Rolston, Director
Policy and Evaluation ACF
901 D Street S.W.
Aerospace Bldg. 7th Floor West
Washington, D.C. 20447

Dear Mr. Rolston:

Enclosed are Montana's responses to the issues and questions regarding our application for waivers to implement the Families Achieving Independence in Montana demonstration, received by us on July 22, 1994.

As mentioned in our conference call with you on July 28, 1994, Montana needs assistance from ACF to get the draft terms and conditions of our waiver approval as quickly as possible. The current time lines call for the demonstration project to begin on October 1, 1995. Because of the comprehensiveness of our waiver request, significant changes to our FAMIS computer system will be required. We have allocated a 10 month time frame for those changes to be made; however, in order to meet our deadlines, an approved waiver application is needed by September.

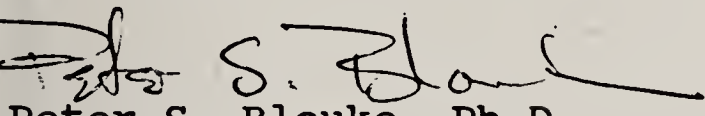
We'd like to encourage informal communication from any agency which has questions to expedite this process. Unfortunately, since our waiver application submission to you in April, 1994, only one question from one agency was asked of us prior to receiving your list of issues and questions. Until our call to you on July 28, Montana had received no indication that our innovative package presented serious problems. No mention was made prior to the call concerning the possibility that legal authority may not exist to operate the Pathways Employment and Training program outside the parameters of the JOBS program. As mentioned at the April in-person visit to you by Montana staff, Montana staff will be responsive to your questions in order to achieve prompt approval. Technical assistance from your agency is desired, and may be needed to show Montana how approval of some waiver items can be obtained which will preserve the integrity of Montana's demonstration design.

We firmly believe that our package has been designed to meet the needs of Montana's citizens in the best way possible, while enfoldng and incorporating the best of national reform efforts, including much of President Clinton's proposal. We believe we must focus on outcomes-moving people from AFDC to employment. Pathways Employment and Training is designed to assist people with limited case management. We expect to spend very little time or administrative dollars tracking participation hours. Staff time and funding will be focused on client needs and services. We plan to track actual compliance and progress as a client moves towards economic self-sufficiency.

Pathways is the employment and training program for AFDC time-limited benefits. The Community Service Program is based upon President Clinton's proposal for community work after a time-limited benefit period. Community work is presented as an opportunity for the AFDC recipient to work for his or her benefits and will apply only to those who have not been able to become employed through Pathways. Work experience under the JOBS program is designed to assist an individual to become self-sufficient. Therefore, it is not appropriate under Montana's plan to enlarge JOBS to include community service work. We believe JOBS must remain an intensive case management program to be effective.

Thank you for your assistance and cooperation in this endeavor. We hope to receive your response by August 31, 1994.

Sincerely,



Peter S. Blouke, Ph.D.
Director

cc: Governor Marc Racicot
Mary Jo Bane, ACF
Frank Fajardo, Denver ACF

waivresp.pmr

1908

At 10:00 AM, the ship was at the mouth of the river.

The wind was light and the water calm.

We proceeded up the river for about five miles.

The scenery was very beautiful.

At 1:00 PM, we reached the village of St. John.

The village was situated on a hillside.

The houses were built of adobe.

The people were very friendly.

We stayed at the village for two days.

At 4:00 PM, we started on our journey.

The journey was very pleasant.

We arrived at our destination at 8:00 PM.

The journey was very successful.

We were very happy to see you.

The weather was very good.

We had a very good dinner.

The night was very quiet.

We were very comfortable.

The morning was very bright.

We were very happy to see you.

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***FEDERAL QUESTIONS
AND
RESPONSES***

***FAIM TEAM
Social & Rehabilitation Services
Family Assistance Division***

August 1, 1994

WYOMING COUNTY, ARIZONA

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WYOMING COUNTY, ARIZONA

WYOMING COUNTY, ARIZONA
1919
WYOMING COUNTY, ARIZONA

FEDERAL QUESTIONS AND RESPONSES

August 1, 1994

Issues:

- 1) *Montana proposes to develop a Community Services Program (CSP) in which individuals who meet the AFDC time limit would be required to participate for 20 hours per week. We ask several questions in the following section about the proposed operating procedures for CSP, but primarily we are concerned about the State's capacity to provide an adequate number of CSP slots. How many CSP slots does Montana predict it will need to meet client demands in the demonstration? Please provide an analysis on which your prediction is based and explain how the State will provide the necessary number of slots.*

RESPONSE:

At this time, Montana is anticipating approximately 15.7% of the AFDC caseload would be participating in the Community Services Program (CSP) after it becomes operational. That estimate is based upon current data analysis of our caseload which indicates that 15-16% of our AFDC recipients remain on our program for longer than 2 years. We plan to work with each local welfare office to establish a community advisory council which will actively work to identify, develop and establish community service sites which will meet each community's needs and expectations. A number of our County Commissioners throughout the State have expressed both support for and a willingness to help further develop this program.

It is important to note that we propose that if a community service "slot" is not available for a client, no penalty will be applied. Since CSP does not become operational until 24 months (18 months for two parent households) after Pathways implementation, the State will have that time to develop those slots. Also, Montana expects

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FEDERAL QUESTIONS

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that as the Pathways program is implemented in each county and results analyzed, adjustments to our estimations will be made and acted upon.

- 2) *As a condition of benefit receipt, Montana has asked whether it can require Indians living on a reservation to participate in the State's JOBS program if they are not enrolled in the Tribal JOBS program.***

Through waivers under section 1115 of the Social Security Act, we could allow the State to change its own JOBS program, including making it available on a voluntary basis to Tribal members not enrolled in a Tribal program. The State cannot, however, be allowed to change elements of a Tribal JOBS program because the Tribe is a sovereign entity with authority to run its own JOBS program.

RESPONSE:

We apologize for the apparent misunderstanding of our question in this area. We are not asking to change any element of a Tribal JOBS program. Rather, we are asking if, in our Pathways program, we can require employment and training participation activities (not enrollment in the State's JOBS program) for those "Indians living on a reservation" whom the Tribe chooses to not enroll in their JOBS program? (We would not have additional employment and training activities beyond Tribal JOBS participation for those whom the Tribe does enroll in their program). The impact of this requirement to participate would be that those individuals would be subject to those activities listed on the Family Investment Contract as a condition of eligibility. Failure of the client to meet contract obligations may result in a Pathways sanction.

This is an important issue for us to clarify as we would want to enter into negotiations with each Tribe for giving us names of

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August 1, 1994

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- 4) *The State has asked whether it could offer comment on Tribal JOBS plans prior to Regional Office approval of the plan.*

The regulation at 45 CFR 250.94 (d) (1) (i) requires Tribes to submit their plan to the IV-A agency for review and comment 30 days before it is submitted to the ACF Regional Office. If the State is asking for some sort of approval authority prior to ACF review of the plan, the principle of sovereignty would apply: the State cannot be allowed a veto authority over a Tribal Jobs plan.

RESPONSE:

The 30 day comment period is sufficient for review and comment of the Tribal Plan. However, not all Montana Tribes are following the regulation. The state is not requesting veto authority.

- 5) *The State asked if it is possible to maintain its current State and Tribal JOBS allocation if their caseload decreases after the proposed demonstration is implemented.*

We cannot freeze the State's JOBS allocation if Montana's caseload should decrease. As for Montana's Tribal JOBS allocation, the regular method of determining Montana's approval of waivers to use title IV-A administrative funds for demonstration activities after a State reaches its JOBS cap while implementing a demonstration. Under such a waiver, however, title IV-A funds used to support

JOBS demonstration activities would constitute excess cost and would therefore be subject to cost-neutrality.



RESPONSE:

We understand that the funding allocation cannot be changed. However, our concern is that an AFDC population shift may occur during welfare reform. For example, if welfare reform is successful at reducing case load in the State's AFDC population but case load is not reduced in the Tribal AFDC population, the percentage of State fund allocation would be increased to the Tribal programs and decreased to the State program. JOBS (whether State or Tribal) will be the primary intensive case management program for AFDC recipients. The loss of funding could affect the success of the JOBS program in reducing AFDC caseload.

Funding distribution will be closely monitored as a part of our evaluation process.

- 6) ***For Job Supplement Program (JSP) participants, all child support collections would be passed through to the family, counted as unearned income, and considered a IV-A collection. For child support arrearages collected, the Federal portion would be passed through to the family and the remainder retained by the State.***

Under section 1115 (c) (3) of the Social Security Act (the Act), waivers that assist in promoting the objectives of part D of title IV of the Act "must not result in an increased cost to the Federal government" under the AFDC program. Where we have previously approved direct distribution of child support collections to families, the waiver provisions did not include having to apply the cost neutrality requirements of 1115 (c) (3) because the payments resulted in a dollar-for-dollar adjustment to the AFDC grant,

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essentially making this provision of the demonstration cost neutral on its face. While Montana proposes to treat child support payments passed through to the family as unearned income, resulting in a dollar-for-dollar adjustment to the AFDC grant, the State also proposes that the Federal portion of arrearages collected be passed through directly to the custodial parent, resulting in a "cost" because the Federal share of AFDC expenditures would not be offset by child support collections. Thus, this issue must be addressed under cost neutrality.

Further, unlike typical cost neutrality requirements, which essentially allow savings in any of the applicable Federal programs to offset excess costs in the other programs(s), section 1115(c)(3) specifies that the demonstration be cost neutral to the AFDC program, without regard to overall savings. Thus, should it be determined that the demonstration results in excess costs to the AFDC program, we are prohibited from allowing any cost attributable to any other program (e.g. Emergency Assistance, Food Stamps and Medicaid). The attached diagram shows how cost attributable to 454 waivers would have to be handled by cost neutrality under different scenarios.

RESPONSE:

We agree that Section 1115(c) requires that for IV-D demonstrations, the project "(3) must not result in increased cost to the Federal Government under the program of Aid to Families With Dependent Children (emphasis added)." Thus, if Montana passes child support arrearage payments through to recipients, this cost would have to be neutralized through increases in AFDC savings. Montana is planning a number of enhancements to its IV-D program

as part of the demonstration, which will have the net effect of increasing child support collections more than enough to offset the



[The text in this section is extremely faint and illegible. It appears to be a list or series of entries, possibly organized in a table with multiple columns.]

FEDERAL QUESTIONS

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increase because of passing through the arrearage payments. Thus, we believe that the net result of the IV-D changes we are planning will result in a net savings to AFDC. During the State's clarification call, you indicated that it may be acceptable to compute the cost/savings to AFDC by combining the effects of all the IV-D changes we are contemplating. Your assistance in developing this reporting methodology would be appreciated.

- 7) ***The AIM application states that Montana cannot provide the necessary level of paid child care to enable all recipients to participate in the demonstration. The State proposes developing an "alternative day care" system consisting of peer child care and participant child care pooling in sites certified by the State. Participants would be required to use the "alternative" system or to pay their own child care expenses.***

We are concerned about denying participating parents a choice in the type of child care available to them as well as whether the proposed alternative providers would maintain the quality of care normally funded and approved by the State. ACF requires more information about this proposed provision.

- (a) ***Would Family Investment Contract and Community Service Program activities be mandatory if satisfactory child care is not available?***

- (b) ***Please explain in detail:***

- . how this child care system would work, including the State's proposed criteria for site certification;***
- . how the standard of care provided would compare to the normally approved child care services in the State; and***
- . how an acceptable quality of care would be assured.***

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FEDERAL QUESTIONS

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- (c) *Please clarify the rationale for the proposed child care system, including a rationale for the elimination of parental choice of type of care, which is normally provided in JOBS.*

RESPONSE:

(a) No.

- (b) *The alternative child care sites would be required to meet the same state standards that other child care sites must currently meet. The participants providing care to other participant's children would be chosen for their interest in and aptitude for providing child care. The participant providers would be required to train in an established child care provider facility and attend child care courses prior to providing care.***

The child care sites, in addition to meeting state standards, also would be evaluated by contractor/state staff to ensure quality.

- (c) *The demand for quality child care in Montana currently exceeds the supply. With the increased participation requirements of FAIM, the demand for drop-in, part-time child care will be even greater. Alternative FAIM child care will offer a quality solution to this dilemma, while providing a career track for AFDC recipients. Parents will have the ability to utilize private care arrangements or the alternative child day care system. Montana feels the restriction of parental choice of child care providers is justified because of these reasons and is necessary to ensure the success of FAIM.***

- 8) *Montana proposes that the entire AFDC-eligible population participate in appropriate demonstration activities, and the State requests that it be exempted from calculating a JOBS participation***

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The first part of the report deals with the general situation of the country and the progress of the work.

Section 1

1.1

The first part of the report deals with the general situation of the country and the progress of the work.

The second part of the report deals with the results of the work and the conclusions drawn from them.

The third part of the report deals with the financial situation and the budget for the next year.

The fourth part of the report deals with the personnel and the organization of the work.

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The sixth part of the report deals with the financial situation and the budget for the next year.

The seventh part of the report deals with the personnel and the organization of the work.

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rate. Montana wishes to determine a participation rate based on an individual's needs rather than on the 20 hour requirement. The JOBS participation rate requirement cannot be waived, as none of the provisions of section 403 of the Social Security Act are subject to the waiver authority under section 1115 of the ACT.

Current ACF policy regarding determination of the JOBS participation rate allows averaging of hours of JOBS participation for applicants and recipients; thus, the State currently has the flexibility in assigning individuals to activities in which they may participate less than 20 hours per week. The average monthly number of individuals who will have been considered to have participated will be the largest number of applicants and recipients whose combined and averaged weekly hours of participation in specified activities equals or exceeds 20 hours per week.

RESPONSE:

Thank you for the clarification.

- 9) *Montana wishes to count time spent in unsupervised study toward the JOBS 20-hour participation rate requirement. Amending the definition of allowable JOBS participation would result in noncompliance with the provisions of section 403 of the Social Security Act, which are not subject to the waiver authority under section 1115 of the Act. ACF policy allows states to include as JOBS participation time spent in regularly scheduled supervised homework sessions determined to be directly related to the individual's course work in which he is participating satisfactorily.*

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1. The first part of the document is a list of the names of the members of the committee.

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FEDERAL QUESTIONS

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RESPONSE:

Thank you for the clarification that this is not subject to waiver. Due to Montana's rural nature it is difficult to provide supervised study.

- 10) *Since the entire AFDC-eligible population would participate in appropriate demonstrations activities, the State requests that it be exempted from the 55 percent targeted expenditures requirement. The 55 percent targeted expenditures requirement is found in section 403 of the Act and cannot be waived under section 1115 (see above). As indicated in the regulation at 45 CFR 250.74 (a) (2), the State may seek continued application of the enhanced funding rate through existing administrative processes if the State demonstrates that it is infeasible to meet the requirement of spending 55 percent of JOBS expenditures on the federally defined target groups and targets other long term or potentially long term recipients. Staff in the Office of Family Assistance, Division of JOBS policy, are available to discuss this issue if additional information is needed.*

RESPONSE:

Thank you for the clarification.

- 11) *The State wishes to waive the requirement that one parent in an AFDC-UP case must participate in a work activity for at least 16 hours a week so that UP recipients may be afforded more time to participate in activities that the State feels are more likely to enhance their employability. Since the 16-hour work requirement is found in section 403 of the Act, it cannot be waived under section 1115 (see above).*

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

PROCEEDINGS OF THE 1964 MEETING OF THE
AMERICAN CHEMICAL SOCIETY

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DEPARTMENT OF CHEMISTRY, AND WAS
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MEETING WAS OPENED BY A LUNCHEON
ON SEPTEMBER 28, 1964, AT THE
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August 1, 1994

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RESPONSE:

Thank you for the clarification.

- 12) ***The State would require a recipient co-payment of all child care programs. AFDC recipients cannot be charged fees for child care services. We have recently identified a potential legal difficulty related to child care co-payments. We expect to resolve the matter soon and will contact you thereafter.***

RESPONSE:

We apologize for the misunderstanding. Montana is not requesting to impose a co-payment requirement for child care provided to AFDC recipients. We intend to offer seven types of child care supportive services.

1. ***For wage earners in Pathways and CSP, Montana intends to continue providing child care reimbursement through the AFDC disregard calculation (using the proposed standard maximum disregard of \$200 per month per child, regardless of age). There will be no co-payment requirement.***
2. ***For Pathways E & T participants who need child care while participating in employment and training activities, Montana will provide child care reimbursement up to the same limits and through the same voucher process currently used for JOBS participants. There will be no co-payment requirement.***
3. ***For individuals in JSP, Montana also proposes to use disregard child care limits, but to reimburse the child care provider through the voucher process. There will be no co-payment requirement.***

Introduction

The purpose of this study is to investigate the effects of various factors on the growth of bacteria.

The study was conducted in a laboratory setting. The bacteria were grown in a nutrient-rich medium. The temperature was maintained at 37°C. The pH was adjusted to 7.0. The oxygen concentration was controlled. The results of the study are presented in the following sections.

Materials and Methods

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FEDERAL QUESTIONS

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- 4/5. For individuals participating in the Pathways JOBS or Tribal JOBS program, Montana does not anticipate any change from the current process. There are no co-payment requirements.**
- 6. For individuals participating in CSP, alternative child care services will be provided. There will be no co-payment requirement.**
- 7. For individuals in Extended Child Care (currently known as Transitional Child Care), Montana is anticipating to increase the schedule of co-payment amounts. This request is in the waiver proposal since families in the Control Group Transitional Child Care will be paying our current co-payment amount.**
- 13) Montana proposes that for the first six months of the demonstration, payment errors reviewed by AFDC Quality Control would not be counted in the computation of Montana's error rate. HHS has consistently maintained a policy of not approving waivers of Quality Control requirements. Our standard procedure for this type of situation is to refrain from citing errors during the payment adjustment lag (PAL) period, and then to review against the revised program requirements operative under the demonstration project.**

The State also proposes that for the first 90 days of the demonstration, payment errors reviewed by Food Stamps Quality Control would not be counted in the computation of Montana's error rate. With respect to the Food Stamp error rates, cases which are incorrectly classified for participation in a demonstration project which the Department of Agriculture (USDA) determines to "significantly modify the rules for determining households' eligibility or allotment level" are excluded from calculation of the error rate for the entire length of the demonstration. Therefore, the inclusion or exclusion of project cases from the Food Stamp error rate is not an

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1998-1999 ACADEMIC YEAR
FALL SEMESTER

LECTURE 1: INTRODUCTION TO THE COURSE
AND THE HISTORY OF CHEMISTRY
1.1 THE SCIENCE OF CHEMISTRY
1.2 THE HISTORY OF CHEMISTRY
1.3 THE CHEMICAL INDUSTRY

LECTURE 2: THE ATOM AND THE PERIODIC TABLE
2.1 THE ATOM
2.2 THE PERIODIC TABLE
2.3 THE CHEMICAL BOND

LECTURE 3: THE MOLECULE AND THE SOLID STATE
3.1 THE MOLECULE
3.2 THE SOLID STATE
3.3 THE CHEMICAL BOND

FEDERAL QUESTIONS

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issue which would be addressed through a waiver, but rather through a determination of whether the project terms and conditions "significantly modify: the rules for determining eligibility and allotment level. USDA cannot make this determination until the terms and conditions of the project are finalized.

RESPONSE:

Thank you for the clarification. These procedures are acceptable to the State. When the terms and conditions of the project are finalized, we would like to urge USDA to make the determination that our project does significantly modify the rules for determining eligibility and allotment level.

- 14) *The State wishes to offer a limited package of Medicaid benefits to participants and has asked for a waiver of section 1902 (a) (10) (A) of the Act. Which services does Montana not wish to provide? To the extent these services could be considered "mandatory" services required under section 1902 (a) (10) (A), the statutory citation in the waiver request is correct. However, the Health Care Financing Administration (HCFA) is unlikely to waive the requirement of the right of beneficiaries to get the full mandatory benefit package.*

RESPONSE:

As you heard from Montana's in-person presentation in April, it is critical to the success of Montana's reform package to be able to do adjustments in the Medicaid program. However, we are sensitive and appreciative of HCFA's concerns with our original waiver request to provide limited Medicaid Services, particularly the proposed elimination of hospitalization and emergency room services. Because of those concerns, we have developed an alternate proposal which we believe will ease some of those

The first part of the paper is devoted to a study of the properties of the function $f(x)$ defined by the equation $f(x) = \sum_{n=0}^{\infty} a_n x^n$, where a_n are the coefficients of the power series. It is shown that $f(x)$ is a continuous function of x and that it satisfies the functional equation $f(x) = x f(x^2)$. The second part of the paper is devoted to a study of the properties of the function $g(x)$ defined by the equation $g(x) = \sum_{n=0}^{\infty} b_n x^n$, where b_n are the coefficients of the power series. It is shown that $g(x)$ is a continuous function of x and that it satisfies the functional equation $g(x) = x g(x^2)$.

The third part of the paper is devoted to a study of the properties of the function $h(x)$ defined by the equation $h(x) = \sum_{n=0}^{\infty} c_n x^n$, where c_n are the coefficients of the power series. It is shown that $h(x)$ is a continuous function of x and that it satisfies the functional equation $h(x) = x h(x^2)$. The fourth part of the paper is devoted to a study of the properties of the function $k(x)$ defined by the equation $k(x) = \sum_{n=0}^{\infty} d_n x^n$, where d_n are the coefficients of the power series. It is shown that $k(x)$ is a continuous function of x and that it satisfies the functional equation $k(x) = x k(x^2)$.

The fifth part of the paper is devoted to a study of the properties of the function $l(x)$ defined by the equation $l(x) = \sum_{n=0}^{\infty} e_n x^n$, where e_n are the coefficients of the power series. It is shown that $l(x)$ is a continuous function of x and that it satisfies the functional equation $l(x) = x l(x^2)$. The sixth part of the paper is devoted to a study of the properties of the function $m(x)$ defined by the equation $m(x) = \sum_{n=0}^{\infty} f_n x^n$, where f_n are the coefficients of the power series. It is shown that $m(x)$ is a continuous function of x and that it satisfies the functional equation $m(x) = x m(x^2)$.

The seventh part of the paper is devoted to a study of the properties of the function $n(x)$ defined by the equation $n(x) = \sum_{n=0}^{\infty} g_n x^n$, where g_n are the coefficients of the power series. It is shown that $n(x)$ is a continuous function of x and that it satisfies the functional equation $n(x) = x n(x^2)$. The eighth part of the paper is devoted to a study of the properties of the function $o(x)$ defined by the equation $o(x) = \sum_{n=0}^{\infty} h_n x^n$, where h_n are the coefficients of the power series. It is shown that $o(x)$ is a continuous function of x and that it satisfies the functional equation $o(x) = x o(x^2)$.

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concerns from HCFA, while still allowing Montana to maintain the philosophical redesign of the welfare program.

Therefore, we are proposing that Montana's Medicaid limited services option for able-bodied adults will now offer all current services in Montana's State Plan except for visual, dental, hearing services, durable medical equipment and therapy coverage (speech, occupational and physical). To help make this proposal fit the philosophy of our program, we are proposing to require all adults who choose this limited service option to enroll in a Health Maintenance Organization (HMO), if available. If an HMO is not available, Montana will continue to require participation of able-bodied adults in our current Medicaid Managed Care Program entitled "Passport to Health". The specific services covered by the HMO may change from those listed above, but Montana will continue to provide mandatory Medicaid services to all Medicaid recipients.

Since nationally, affordable coverage for working individuals in the health insurance arena seems to be heading toward the HMO concept, we believe the new proposed limited service coverage and HMO mandate more closely parallels what is available to the working population through private health insurance. We also continue to believe that offering a choice to able-bodied adults of this limited service package, with mandatory HMO participation, or partial payment of a private health insurance premium is a responsible alternative. In a later question, we offer answers to HCFA's specific questions regarding the partial premium payment option. Montana would like to strongly encourage HCFA to approve this amended request. As stated previously, we have tried to develop a compromise proposal to address HCFA's major concerns, while still allowing the State to test a valid demonstration.

THE HISTORY OF THE UNITED STATES OF AMERICA

The history of the United States of America is a story of growth and change. It begins with the first settlers, who came to the continent in search of a new life. They found a land of vast resources and a people who were different from them. Over time, the settlers and the native Americans began to interact, and a new society began to emerge. This society was based on the principles of liberty and justice for all. It was a society that was open to change and growth. It was a society that was built on the foundation of the American dream. The history of the United States is a story of the American dream. It is a story of the pursuit of happiness and the quest for a better life. It is a story of the United States of America.

The United States of America is a country of many people. It is a country of many cultures and many languages. It is a country of many traditions and many customs. It is a country of many dreams and many hopes. It is a country of many challenges and many opportunities. It is a country of many people who are working together to build a better future for themselves and for their children. The United States of America is a country of many people who are proud of their country and their heritage. It is a country of many people who are committed to the principles of liberty and justice for all. It is a country of many people who are working together to make the world a better place.

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- 15) *Montana proposes a sanction policy that would deny AFDC-related Medicaid to adults during the sanction months. The Department of Health and Human Services does not support denial of Medicaid benefits to individuals and families who would otherwise be eligible except for demonstration waivers. Would the State consider revising its proposal to allow sanctioned individuals to retain Medicaid benefits?*

In the following section HCFA asks several questions about the proposed Medicaid sanction. These questions do not necessarily constitute an intent to approve this particular waiver request.

RESPONSE:

The State understands HCFA's concerns in this area. However, in the arena of welfare reform, measurable outcomes are critical for evaluation purposes. A major portion of Montana's proposal is to embrace the philosophy of parental responsibility and accountability, along with the State recognizing that it has responsibilities as well to clients. In the development of the reform package (and clarified in one of the later questions in this document), is the premise that if the State fails to live up to its contractual obligations to the parent, no sanction or penalty will apply. The State needs the ability to hold parents accountable when the State has fulfilled its contractual obligations.

One of the primary concerns raised by Montana's citizens during the process of developing our welfare reform proposal was the lack of holding parents accountable for inappropriate actions. Indeed, it is currently seen that we "reward" persons who choose not to comply with current JOBS requirements. Once the administrative process in determining that a person has not complied with the JOBS program has occurred, which includes that good cause for not complying was not established, the person is notified that his or her

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The first part of the paper discusses the importance of understanding the underlying mechanisms of the observed phenomena. This is followed by a detailed description of the experimental setup and the results obtained. The data shows a clear correlation between the variables studied, which is consistent with the theoretical predictions. The authors conclude that the findings have significant implications for the field of study.

In the second part of the paper, the authors explore the potential applications of the results. They suggest that the findings could be used to develop new technologies or improve existing ones. The paper ends with a discussion of the limitations of the study and suggestions for future research.

The authors acknowledge the support of the National Science Foundation and the Department of Energy. They also thank the reviewers for their constructive comments. The paper is published in the Journal of Applied Physics, Volume 100, Number 1, 2006. The authors are affiliated with the Department of Physics, University of California, San Diego.

The authors declare that they have no conflict of interest. The paper is a result of the authors' original research and is not based on any confidential information. The authors are responsible for the accuracy and integrity of the data presented in the paper. The paper is published under a Creative Commons Attribution 4.0 International License.

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needs are being removed from the AFDC grant. AT THE SAME TIME, under current requirements, we must notify the individual that eligibility for AFDC-related Medicaid has been established, (with the inference that it is established because of the client choosing to not comply with the JOBS program), and provide that continued Medicaid coverage. We believe that message is totally inappropriate and is irresponsible.

However, we also are cognizant that we want the penalty to apply only to the adult who has chosen not to comply. We are glad that HCFA pointed out to us that we could have an unintended result, by removing the sanctioned person from consideration in family size. As you will note in the response to a later question, we will continue to count the sanctioned individual in the family size for Medicaid determination, but not cover the sanctioned individual's needs.

We encourage HCFA to reconsider its position on the basis of this information and allow Montana to test this proposal in its demonstration process. We are also open to suggestions from HCFA regarding specific data collection they might wish to see in this area to support a thorough and careful evaluation of this unique demonstration.

- 16) ***The State proposes to require as a condition of eligibility that potentially eligible Food Stamp households apply for SSI, Unemployment Compensation or other potential resources. Section 17 (b) of the Food Stamp Act prohibits the approval of this waiver. Households may be encouraged to apply for other programs for which they are found eligible, but they may not be determined ineligible for refusing to apply.***

THE FIRST PART OF THE HISTORY OF THE
LIFE OF THE LATE KING CHARLES THE FIRST
BY JOHN BURNET
OF THE SOCIETY OF THE APOSTOLICAL APOSTLES
IN THE UNIVERSITY OF OXFORD

IN TWO VOLUMES
THE FIRST VOLUME
LONDON
Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard, near St. Dunstons Church, in the County of Middlesex.
1679.

THE SECOND VOLUME
LONDON
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THE THIRD VOLUME
LONDON
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1679.

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RESPONSE:

Thank you for the clarification. The State withdraws this specific Food Stamp waiver request.

- 17) *The State proposes a waiver to divide the amount of a lump-sum payment by the established resource limit to determine a period of ineligibility for Food Stamp benefits. USDA's waiver authority under section 17 (b) of the Food Stamp Act prohibits approval of this waiver. Ineligibility for Food Stamps cannot be extended if the household spends down the excess resources and is within the established resource limit in months subsequent to the original month of eligibility.*

RESPONSE:

Thank you for the clarification. The State withdraws this specific Food Stamp waiver request.

- 18) *Montana proposes a sanction policy that would deny Food Stamps to adults during the sanction months. USDA's waiver authority under section 17 (b) prohibits approval of a waiver that would result in a loss of Food Stamp benefits.*

RESPONSE:

Thank you for the clarification. As stated previously regarding Medicaid sanctions, it is important that we ensure the philosophical intent of welfare reform. Therefore, Montana would like to submit an alternate proposal. We would not "sanction" the individual from the Food Stamp program. However, we propose that the AFDC grant which the family would have received if the individual was not in AFDC sanction be considered as countable

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for ensuring the integrity of the financial system and for providing a clear audit trail. The text also mentions the need for regular reviews and updates to the records to reflect any changes in the data.

In the second part, the focus shifts to the role of the accounting department in managing the company's finances. It describes how the department works closely with other departments to ensure that all financial activities are properly recorded and reported. The text also highlights the importance of maintaining accurate records of all transactions.

The final part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for ensuring the integrity of the financial system and for providing a clear audit trail. The text also mentions the need for regular reviews and updates to the records to reflect any changes in the data.

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income for Food Stamp benefit calculation. We believe Section 8, subsection (d) of the Food Stamp Act would allow this alternative proposal.

If this alternate proposal is acceptable, the family would not receive an increase in Food Stamps due to choosing not to comply with AFDC program requirements.

- 19) *Montana proposes to adopt the option provided under 7 CFR 273.9 (c) (12) to exclude from household income for the Food Stamp program the \$50 per month child support pass-through. The State is asking that it be relieved of the requirement to reimburse USDA for the cost of additional benefits provided under this option. USDA cannot waive the liability for additional costs incurred. These costs must be counted as "excess costs" for the purpose of determining cost-neutrality.*

RESPONSE:

We apologize for the misunderstanding. Montana is aware that any "excess cost" must be determined for purposes of cost-neutrality. What we are proposing under the waiver process is that any excess cost be considered in the total savings and costs of all our provisions under welfare reform.

- 20) *USDA has serious concerns about Montana's proposal to implement cash-out of Food Stamps on a statewide basis. Such broad-scale approval has not been granted elsewhere. USDA is opposed to the wholesale implementation of cash-out as an alternative issuance system.*

Approval of cash-out under other welfare reform demonstrations has been contingent upon the State's commitment to implement Electronic Benefit Transfer (EBT) technology for the delivery of Food

Introduction

The purpose of this document is to provide a comprehensive overview of the project's objectives, scope, and deliverables. This document is intended for the project team and stakeholders.

The project is a multi-phase initiative designed to improve the efficiency of the current system. The project will be managed using a structured approach, with regular communication and reporting to ensure transparency and accountability.

The project team consists of experienced professionals with a proven track record in project management. The team will work closely with the client to understand their requirements and deliver a solution that meets their needs.

The project is expected to be completed within the specified timeline and budget. The project team will monitor the progress of the project and make adjustments as needed to ensure successful completion.

The project team is committed to providing the highest quality of service and ensuring that the project is completed on time and within budget. We look forward to working with the client and delivering a successful outcome.

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Stamp benefits. Montana's proposal states that it is actively exploring EBT technology for AFDC, Food Stamps and Medicaid. Please provide more information on your progress in developing an EBT system, including a proposed timetable for implementation.

Studies have shown a reduction in food expenditures under cash-out. To insure that nutritional status will not be eroded by the conversion of benefits into cash, approval of cash-out would also be contingent upon the implementation of a nutritional education component. Please provide a description of the nutritional education component that will be provided under the demonstration.

RESPONSE:

We appreciate USDA's willingness to continue discussion in this area. While our proposal for cash-out is for a statewide demonstration, it is for just the AFDC Pathways and CSP population. We do not propose to cash-out Food Stamp only households. As indicated in our waiver request, this area was a subject of controversy and remains an area where there are two distinct schools of thought. That is one reason why cash-out was not requested for the entire Food Stamp population. Prior to consensus being achieved to test cash-out for the AFDC population, the evaluations of other cash-out demonstrations were considered by the Welfare Reform Advisory Council.

Montana is committed to the pursuit of EBT. It is being explored for potential delivery of Food Stamps, AFDC, Medicaid and fuel assistance benefits. There is preliminary discussion of having a joint process with the Women, Infants and Children (WIC) program. Montana is working with the Mountain Plains Region to address EBT possibilities. Additionally, Montana recently contracted to have a \$250,000 EBT feasibility study completed.

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It will not be a surprise that Regulation E is a concern for Montana, and the issue needs to be resolved before the State can make a final commitment that the EBT delivery system will be used for Food Stamp benefits. Another problem for Montana is the current FNS requirement that EBT requests must be cost effective in administrative costs.

As you are aware, Montana's Food Stamp issuance costs are very low, since we went to state-wide mail issuance of Food Stamps through our contract with Sacramento Service and Delivery Corporation. Issuance costs are approximately \$1.30 per transaction in Montana (including postage costs) The information we have on EBT systems is that \$3-\$4 for transaction costs is normal. However, we are confident that FNS will eventually change the criteria for approving EBT in states.

A third issue is in the area of technology. Montana currently believes that a smart card or multi-use card will be most advantageous for us. Straight on-line cards are not our preferred choice.

When those three issues are resolved, Montana will be ready to submit a plan for Food Stamp EBT issuance.

Regarding the nutrition education component requirement, we support that requirement in Montana. However, we received compelling testimony from AFDC clients during the development of our waiver package that they are probably better managers of money, including use of Food Stamps for meal development, than the average citizen. They strongly resented that mandatory participation in nutrition education and budgeting classes was being considered. The Advisory Council, however, recognized that not all AFDC clients have the same skills as those who testified. Therefore, one of the resources which will be offered to AFDC clients will be nutrition education classes and information.

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Our Extension Service program, which is operational in most communities is very active in the nutrition education area and our intent is to partnership with them in making their information and classes available to our population.

- 21) *Montana proposes to do random assignment in six counties and then to phase in the demonstration across the rest of the State. The State would begin random assignment in two counties on 10/1/95 and would follow with the other four counties on 11/1/96. The six counties have a total AFDC caseload of approximately 4,440 and the State would assign 20 percent to the control group, resulting in approximately 900 control recipient cases.*

Several of the proposed demonstration provisions would affect eligibility determinations. This requires that the evaluation determine impacts on applicants as well as recipients. Having a sufficient number of applicant cases is necessary for impact analysis because newly approved cases tend to have shorter AFDC spells, and therefore also differential impacts, compared to the general population of current cases. In such cases we require random assignment of applicants for approximately the first half of the demonstration, or longer if necessary, to assure that the number of approved control group cases equals the number of current recipients initially assigned to the control group. This also means that the research sample would include both approved and denied applicant cases.

Assigning a sufficient number of applicant and recipient cases to the research sample is critical in order to provide statistically reliable estimates of project impacts. The State would increase the likelihood of producing reliable measures of impacts by increasing the proportion of recipients and applicants randomly assigned to the control group in the six research counties from 20 percent to as much as 40 percent.



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The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the company to have a clear and concise system in place to ensure that all data is properly recorded and stored.

In order to achieve this, the company must implement a robust accounting system that can handle all types of transactions, including sales, purchases, and expenses. This system should be able to generate reports that provide a clear overview of the company's financial performance at any given time.

Furthermore, the company should also consider the use of technology to streamline its record-keeping process. By utilizing software solutions, the company can reduce the risk of human error and ensure that all data is entered accurately and consistently. This will not only save time and resources but also provide a more efficient and effective way to manage the company's finances.

In conclusion, the importance of maintaining accurate records cannot be overstated. It is a fundamental aspect of any successful business, and the company must take the necessary steps to ensure that its record-keeping system is up to date and reliable. By doing so, the company can gain valuable insights into its financial performance and make informed decisions that will drive its long-term success.

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Also, it appears that some proposed provisions might possibly affect non-AFDC Food Stamps households. Please clarify whether such households would be affected by the demonstration. If they would be, a separate research sample of non-AFDC Food Stamps cases would have to be randomly assigned to experimental and control groups to determine the effects of the demonstration on that population.

RESPONSE:

Montana does intend to assign applicants to the experimental and control groups, for at least the first five years of the demonstration. We currently receive about 900 applications each month, of which approximately 38 percent are received in the control counties. With about 342 applications per month in the control counties of which approximately 68 would be assigned to a control group, we believe that Montana will have a sufficient number of cases (applications and recipients) in the control group with a 20 percent random assignment, to produce reliable measures of impact. Indeed, we may ask ACF to consider a reduction in control group requirements. We agree that non-AFDC Food Stamp households will be affected by the demonstration and intend to randomly assign such recipients and applicants. We will also randomly assign AFDC-related Medicaid recipients and applicants. The non-AFDC Food Stamp and AFDC-related Medicaid cases will be readily distinguishable from AFDC cases, and we will be able to develop data which report separately on each of these samples. The State will have automated safeguards to ensure the statewide percentage of control population will remain at 38%.

- 22) Montana proposes to require minor parents under 16 to participate in JOBS and teen parents without a diploma or GED to participate

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in JOBS beyond just educational activities. The State would sanction adults for a minor's noncompliance by removing the needs of the parent for:

- 1 month for the first noncompliance*
- 3 months for the second noncompliance,*
- 6 months for the third noncompliance, and*
- 12 months for the fourth and subsequent noncompliance.*

Adults would be denied AFDC-related Medicaid and Food Stamps for the sanction months.

Unlike sanctioning adults for noncompliance of younger children, e.g., truancy of 12-year-olds, Montana's proposed sanction would apply to the actions of older adolescents as well. This could result, for example, in the sanctioning of a conscientious parent of a recalcitrant 17-year-old, which possibly could be viewed as an arbitrary act. Would the State consider sanctioning the noncomplying minor instead of his or her parent to avoid this possible interpretation of the demonstration policy. Also, as discussed above, the proposed denial of Medicaid benefits to sanctioned adults is problematic.

RESPONSE:

Parental intervention becomes required in the case of the recalcitrant 17 year old because the parent has the contractual responsibilities with the State through the Family Investment Contract. While it may seem harsh to hold a parent responsible for a teenager's actions, the State will encourage the parent to correct the child's inappropriate behavior. For example, a 17 year old not attending school may need other alternatives explored such as alternative high school, Job Corp., JOBS, etc. Active parental intervention is necessary to achieve the child's success.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY

REPORT OF THE
COMMISSIONERS OF THE
BOARD OF CHEMISTRY

FOR THE YEAR 1900

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THE UNIVERSITY OF CHICAGO
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- 23) *The State's application includes a request to allow individuals with income levels above the AFDC maximum eligibility limits to qualify for AFDC under the proposed JSP if interim cost-neutrality and evaluation data indicate that the proposed provision is affordable and would be cost-effective. During the 4/25/94 meeting at ACF, Montana staff indicated that JSP would be available only to AFDC-eligible individuals. Please clarify what is intended for this provision.*

We will not consider a waiver request if the state does not intend to implement the waiver. Montana should first decide whether it wishes to request a waiver of AFDC income and resource limits. If a decision to request a waiver is made after a state implements a demonstration, the State should apply to amend the waiver terms and conditions.

RESPONSE:

We apologize for our misunderstanding of the process. Montana does intend to offer JSP only to AFDC-eligible individuals. At a later time, if the situation warrants, we would approach the issue through asking for an amendment to the waiver.

- 24) *Montana wishes to modify the Systematic Alien Verification for Entitlements (SAVE) requirements to use them only when the State determines it is warranted by a specific case for purposes of AFDC, Food Stamps, and Medicaid. What would be the State's criteria or guidelines for use of SAVE to ensure that individuals are not discriminated against on the basis of their ethnic origin?*

RESPONSE:

Currently, Montana employs the manual process of accessing SAVE information. Our understanding of our requirements for AFDC, Food

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Stamps and Medicaid is that whenever we have an alien present verification to us, we must access the SAVE system. However, we do not delay our decision making while waiting for a SAVE reply. We are asking that we only be required to access SAVE when we believe the documentation presented is questionable, rather than when any alien applies. Montana has few aliens applying for assistance, and we are not aware of any case where SAVE information has alerted a worker that the worker's previous decision regarding valid documentation was incorrect. This request will simply save our Montana staff a small amount of time. We do not anticipate any harm to clients as it is a more liberal application of using SAVE than what is currently in place.

- 25) ***The State proposes that sanctions imposed for failure to meet the AFDC Pathways program or CSP requirements remain in effect regardless of changes in one's exemption status. We are concerned that the State does not appear to intend exemptions to this policy based on good cause. Please clarify. For example, what would happen to an individual who becomes temporarily or permanently handicapped while under a sanction?***

RESPONSE:

Under our waiver request Montana asked that no assignment of mandatory or exempt status be made. All Pathways and CSP participants will have requirements listed in the Family Investment Contract. Good cause reasons would be considered prior to imposition of sanction. Once sanction is imposed, it must be served regardless of change in family or individual circumstance.

The exemptions in the waiver request apply to the 18/24 month time clock provisions only. The State will ensure that all individuals

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will receive the full Pathways time frame. In the case of incapacitated individuals, the Pathways time clock does not run during the months of incapacity.

- 26) ***Montana wishes to impose a time limit on AFDC benefits of 24 months for single parent households and 18 months for two-parent households. The Indian General Assistance (IGA) program, administered and funded by the Bureau of Indian Affairs of the Department of the Interior, may experience an increase in applications for benefits if many Tribal recipients subject to the time limit reach the limit but choose not to participate in community service. To the extent that IGA applications increase due to the demonstration, increased Federal costs in IGA would have to be considered in calculating cost-neutrality.***

Please provide the estimated number and proportion of cases with potential IGA eligibility in the State and the number that would be in the proposed research sample?

RESPONSE:

Questions 26, 52 and 62, dealing with cost-neutrality, appear to create new cost-neutrality requirements, not previously imposed on other states with approved waivers of the same provisions requested by Montana.

What is HHS's reasoning in proposing to create these new barriers to implementation of a welfare reform demonstration? Isn't Montana being subjected to prejudicial stipulations by imposition of conditions not imposed on other states which have already been granted similar waivers?

Specifically, the waiver applications for other states (including states with significant Native American populations) which included

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time-limited waivers, have been approved with no requirement to include special IGA payments in their cost-neutrality calculations.

Additionally, Montana has no assurance that we would be able to obtain necessary data from the Tribes or BIA to compute IGA costs attributable to welfare reform. If HHS insists on holding Montana to cost-neutrality requirements in the area of IGA, we will require assistance from the Federal Government in obtaining the information the State needs from the Indian sovereign nations. As evidenced by other Federal reporting mandates imposed on the Tribes, even this would not guarantee that the State would receive IGA information from every Tribe, or receive information on a timely basis.

Further, with the elimination of the deprivation requirement from our AFDC program, some Native American families may qualify for the AFDC program rather than for IGA. Montana did not propose to count any potential reduction in IGA assistance toward our savings in calculating cost-neutrality. Again, the issue of receiving timely or any information could be problematic. Given that we are not proposing to count "savings" due to deprivation elimination, it seems reasonable to not require Montana to count "costs" because of potential refusal of Native Americans to participate in community service, and the Tribes deciding to give them IGA.

Perhaps a better solution would be to ask the Tribes to determine that a client choosing not to comply with CSP requirements be denied IGA benefits?

- 27) ***Montana would provide a one-time employment-related diversion payment to AFDC-eligible families, the maximum amount of which would be three times the AFDC grant the families would be entitled to under the Pathways program. Please explain how this payment would be tied to employment activities. Also, would this payment count against the family's resource limit?***

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RESPONSE:

Applicants would be required to verify employment and identify the specific employment-related needs. The employment-related needs may be equipment, tools, clothing, license fees, transportation, relocation expenses, or other items as deemed appropriate.

This payment would not count against the family's resource limit.

- 28) *The proposed one-time employment-related payment to JSP and Pathways participants would be an AFDC special needs payment. Montana has requested a waiver based on the assumption that AFDC payments are considered income in determining eligibility for Medicaid. HCFA points out that AFDC payments are not considered income for Medicaid purposes. Rather, anyone who receives AFDC special needs benefits is automatically eligible for Medicaid.*

RESPONSE:

Thank you for the clarification that AFDC special needs payments are not considered income for Medicaid purposes. The State withdraws this specific Medicaid waiver request.

- 29) *Montana requests waivers to provide priority child support services to JSP participants and to refer JSP and Pathways applicants to child support enforcement immediately after the eligibility interview and prior to approval. States are currently permitted to develop procedures for case assessment and prioritization under 45 303.10. Also, if the State IV-A and IV-D agencies agree, an applicant may be referred for child support services before approval (see OCSE-AT-89-15). Unless the State intends to implement child support*

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enforcement case handling policies which extend beyond what is allowed by current regulation and policy, waivers for these provisions are not needed.

RESPONSE:

Montana's request to prioritize the cases referred to Child Support Enforcement Division from the "Families Achieving Independence in Montana" project will take the following form: investigators will be dedicated to the cases that are referred to CSED from the FAIM project. These investigators will service fewer average cases than those investigators servicing the remaining child support cases. All supportive services provided by staff other than investigators will be performed without prioritization. If this method of prioritizing is within the current regulation, Montana will withdraw this waiver request.

In addition, if FAIM cases can be referred to Child Support Enforcement at the time of application and still be counted as AFDC cases, Montana will withdraw this waiver request.

- 30) *The State proposes to enhance child support enforcement services to divert AFDC applicants from becoming dependent upon public assistance. HCFA would like to know if Montana would give priority child support enforcement services to Medicaid-only cases and whether the enhanced services would include pursuit of medical support even in cases where regular child support payments are being made?*

RESPONSE:

Child Support Enforcement Division will diligently pursue Medicaid-only cases that have applied for service as a matter of regular

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business. But at this time, Montana does not propose specific child support enforcement prioritization or changes for these Medicaid-only cases.

- 31) *Montana would not guarantee child care to two-parent families. Would both parents be required to participate in Pathways and Community Services Program (CSP) as a condition of benefit receipt? Currently in Montana, both parents of a child over age 6 in AFDC-UP cases are required to participate in JOBS and the State could require both parents of a child under 6 but older than 1 to participate in JOBS by amending its State Plan. If this is what is intended, please explain how these parents would be expected to meet their program responsibilities without an assurance of child care services?*

RESPONSE:

Montana intends that in two parent families, one parent will have the responsibility to provide child care as necessary. If full time child care is not a requirement, then the parent who provides part-time child care will have additional participation requirements. It is not feasible, under cost-neutrality requirements, to have both parents participating full time in employment and training activities with the State having to fund the child care costs. We do believe, however, that we may be able to identify participation requirements toward achieving family stability and self-sufficiency which may be worked on by participants in their own homes, thus reducing a potential need for child care.

- 32) *Montana proposes options for Medicaid coverage which would entail loss of comprehensive Medicaid coverage, except for children*

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and pregnant women. HCFA has the following questions about the options for coverage.

Under the limited Medicaid/preventive and primary care option:

- (a) How would emergency room and inpatient hospital care be funded in the event recipients require such services? What does the State envision to be the scenario for individuals who choose this option and require hospitalization?*
- (b) Considering that hospitals may be burdened with more uncompensated costs, would disproportionate share hospital(DSH) payments be used to defray the costs of inpatient hospital and emergency room care not covered by the limited Medicaid option?*
- (c) What would happen to individuals who require more extensive medical services than the limited package would provide?*

Under the private insurance option:

- (d) Would the State provide an incentive to employers to pay part of the insurance premium?*
- (e) Would the State pay a predetermined per capital amount for those choosing the private insurance option regardless of the price of the coverage?*
- (f) Would individuals be free to choose their insurer or would they be required to use the insurer the State identifies as willing to accept all subscribers at \$90 per individual/month? What benefits would such a package provide?*
- (g) How would the program work when the individual's employer offers insurance? Would the whole family be enrolled, with*

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Medicaid acting as a comprehensive wraparound for children and pregnant women?

- (h) Does Montana believe that most participants would choose the acute care insurance subsidy?*

RESPONSE:

As stated before in the response to issue #15, because of HCFA's concerns in this area, Montana is offering an alternate proposal of a choice of a limited services Medicaid package or partial premium payment of a private health insurance policy. Those adults choosing the limited Medicaid package will be mandated to enroll in an HMO, if one is available. If one is not available, enrollment in Montana's Passport to Health program will be required. Services will be restricted to those offered by the HMO and will likely not include vision, dental and hearing services, durable medical equipment, or speech, occupational and physical therapy coverage. Therefore we believe that (a) and (b) are no longer issues. In the other areas:

- (c) We are hopeful that communities will be able to assist the most needy families obtain necessary visual, dental, hearing, durable medical equipment or therapy services. However, there is certainly no guarantee that will occur. We do have some history in this area. Several years ago, Montana's legislature eliminated state support for a medical assistance program for individuals who could not qualify for Medicaid. There were predictions of the dire consequences of that decision. What did happen is that a number of communities, but not all, stepped forward and, as a community, decided to offer some level of support for medical assistance for indigents. Any time a reduction in support occurs, a population will be impacted negatively, unless some other support is created to take its place. But unless we begin at***

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some time to reexamine what we offer, and why, we will never have a chance to prioritize and refocus programs and directions.

(d) *No, the State will not provide an incentive to employers to pay part of the insurance premium.*

(e) *The State will set an amount that is available to each recipient choosing the premium payment option. The market would then compete to attract the recipients by offering the most for that amount.*

(f) *Individuals would be free to choose what they believe to be the best benefit for their dollars.*

(g) *If the health insurance premium is determined to not be cost-effective for Medicaid payment under Section 4402 Premium Payment Benefit, then individuals would be allowed to apply the State's premium payment amount towards the employer-offered health insurance premium. Anyone then enrolled in the employer plan who also qualifies for full Medicaid benefits would be treated just like any other Medicaid recipient with insurance. Services would be cost-avoided as they are now for recipients with insurance.*

(h) *At this point, we are anticipating that only a few families are likely to choose the premium payment option. As more families obtain employment under welfare reform, and the attractiveness of having private health insurance rather than Medicaid assistance is promoted, we expect more families to choose this option.*

33) *Montana proposes to require all families to enter into a Family Investment Contract (FIC) requiring parents to comply with EPSDT*

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Date: 10/10/10

The first part of the report is a general introduction to the project. It describes the purpose of the study and the objectives that were set at the beginning. It also provides a brief overview of the methodology that was used to collect and analyze the data.

The second part of the report is a detailed description of the data that was collected. It includes a table of the data and a description of the variables that were measured. It also discusses the limitations of the data and the steps that were taken to ensure its accuracy.

The third part of the report is a discussion of the results of the study. It compares the findings to the objectives that were set at the beginning and discusses the implications of the results. It also provides a brief overview of the conclusions that were drawn from the study.

The fourth part of the report is a conclusion. It summarizes the findings of the study and provides a final statement about the project. It also includes a list of references and a list of appendices.

The fifth part of the report is a list of references. It includes a list of the books, articles, and other sources that were used in the study. It also includes a list of the websites that were visited and the information that was obtained from them. The references are listed in alphabetical order and include the author's name, the title of the work, and the publisher or source of the work.

The sixth part of the report is a list of appendices. It includes a list of the tables, figures, and other materials that are included in the report. It also includes a list of the questions that were asked during the study and the answers that were given. The appendices are listed in alphabetical order and include the title of the appendix and a brief description of its contents.

The seventh part of the report is a list of the questions that were asked during the study and the answers that were given. The questions are listed in alphabetical order and include the title of the question and a brief description of its contents.

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services, among other things. HCFA has the following questions about this proposed provision:

- (a) Would this provision require parents to take a child for age-appropriate screenings only or also require them to follow through and secure any medically necessary care?*
- (b) Would there be good cause for not participating in EPSDT, e.g., religious beliefs?*
- (c) Would failure to make or keep one screening appointment in a timely manner without good cause lead to a sanction? If not, what level of noncompliance would trigger a sanction?*
- (d) How would the State monitor compliance with EPSDT requirements?*

RESPONSE:

- (a) Montana would certainly approve of requiring parents to follow through with health screenings and secure any medically necessary care. However, the feasibility of developing a system to monitor compliance would be questionable. Montana plans to require proof of age-appropriate screenings and immunizations only.*
- (b) Montana anticipates developing good cause criteria for all program participation requirements. These criteria will include transportation and access problems recipients may experience in obtaining health screenings or immunizations.*
- (c) The key issue here is the phrase "without good cause". If good cause is not established for any non-compliance with any program requirement, then a sanction will take place.*

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(d) We anticipate to add a component in our FAMIS computer system which would trigger notification to each family of health screening and immunization schedules by child. The family would be required to provide verification from the medical provider of compliance.

34) Montana proposes exemptions from the 24/18 month benefits time limit as well as a requirement that all Pathways applicants and recipients enter into a Family Investment Contract. Would individuals exempt from the time limit be required to enter into a FIC? If so, would they be subject to the proposed sanction rules? How would individuals be treated if they become exempt after reaching the 24/18 month time limit?

RESPONSE:

All adults requesting AFDC cash assistance are required to enter into a Family Investment Contract (FIC) as a condition of eligibility. The FIC is the plan of how the family will work toward the goals of strengthening family and finding an alternative to Public Assistance.

All adults also will have some participation requirements toward meeting those goals. The exemptions from time limits are established to ensure that persons who are not yet ready to enter into specific employment and training requirements, will not use up the two year time limit to receive those services. For example, it is not appropriate to start an employment and training time clock for a person who is disabled. The person, instead, may have participation requirements to actively pursue SSI or Vocational Rehabilitation services.

The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function and that its value is zero. This is done by showing that $f(x)$ satisfies the differential equation $f'(x) = f(x)$ and that $f(0) = 0$. The only solution to this equation is $f(x) = 0$.

The second part of the paper is devoted to the study of the properties of the function $g(x)$ defined by the equation $g(x) = \int_0^x g(t) dt$. It is shown that $g(x)$ is a constant function and that its value is zero. This is done by showing that $g(x)$ satisfies the differential equation $g'(x) = g(x)$ and that $g(0) = 0$. The only solution to this equation is $g(x) = 0$.

References

[1] J. K. P. [2] J. K. P. [3] J. K. P. [4] J. K. P. [5] J. K. P. [6] J. K. P. [7] J. K. P. [8] J. K. P. [9] J. K. P. [10] J. K. P.

The third part of the paper is devoted to the study of the properties of the function $h(x)$ defined by the equation $h(x) = \int_0^x h(t) dt$. It is shown that $h(x)$ is a constant function and that its value is zero. This is done by showing that $h(x)$ satisfies the differential equation $h'(x) = h(x)$ and that $h(0) = 0$. The only solution to this equation is $h(x) = 0$.

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Anyone who does not comply with participation requirements outlined in the FIC, without good cause, is subject to sanction.

Individuals who have appropriately received the full time limit of Pathways, then later have a change in their circumstances which causes them to be unemployable, will not be required to do community service work as part of the FIC in the Community Services Program. However, they will have other participation requirements, such as in the above example. They are not eligible (nor would they be appropriate) to enter the Pathways program again.

- 35) *How would the FIC be considered within the context of the JOBS program? If the FIC would be part of JOBS, how would it differ from an employability plan, other than requiring EPSDT participation and child support cooperation?*

RESPONSE:

The FIC is the vehicle for referring individuals to the JOBS program. Once referred to JOBS, a FIC would require that individuals comply with all components of the JOBS program. The employability planning process is not proposed to be changed in the waiver.

- 36) *Since the State proposes that all Pathways applicants and recipients enter into a FIC, which may require their participation in JOBS, would the normal JOBS exemptions continue to apply? Would the normal JOBS exemptions apply to the proposed time limit or only the exemptions listed in Montana's application?*

RESPONSE:

In our request we have asked that mandatory/exempt status be

The first part of the report discusses the importance of maintaining accurate records of all transactions.

It is essential to ensure that all data is entered correctly and that the system is regularly updated.

The second part of the report focuses on the implementation of the new system and the training of staff.

It is important to provide comprehensive training to all users to ensure they can effectively utilize the system.

The final part of the report provides a summary of the findings and recommendations for future work.

Overall, the project has been successful in achieving its objectives and improving the efficiency of the system.

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waived. Montana will determine who needs intensive case management and refer those individuals to the JOBS program.

The exemptions from the time clock listed in the waiver package are those intended to be implemented at this time. If we wish to identify other exemptions or change those exemptions we would seek federal approval through an amendment.

- 37) *The proposed FIC would specify mutual obligations of the State and the participant with sanctions if the participant does not comply. What would happen if the State did not fulfill its part of the agreement?***

Also, would the months during which the State is out of compliance with a FIC be applied to the Pathways time limit?

RESPONSE:

If the State does not fulfill its part of the FIC, no sanctions will be imposed upon the participant. (That would be considered a good cause reason). Any months the State does not fulfill its obligations would not be considered as months used in the Pathways time limits.

- 38) *Montana wishes to exempt from the proposed time limit parents of children under age 1. The State currently exempts from JOBS the caretaker of a child under age 3. No waiver is necessary to make this change, but the State would need to amend its JOBS State Plan.***

RESPONSE:

Exemptions from time limits are not related to current JOBS exemptions as clarified in several previous answers.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861.

2. The second part is a report from the Secretary of the Treasury, dated January 1, 1861.

3. The third part is a report from the Secretary of the Interior, dated January 1, 1861.

4. The fourth part is a report from the Secretary of the Navy, dated January 1, 1861.

5. The fifth part is a report from the Secretary of the War, dated January 1, 1861.

6. The sixth part is a report from the Secretary of the State, dated January 1, 1861.

7. The seventh part is a report from the Secretary of the War, dated January 1, 1861.

8. The eighth part is a report from the Secretary of the Navy, dated January 1, 1861.

9. The ninth part is a report from the Secretary of the War, dated January 1, 1861.

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As stated previously, under Welfare Reform, Montana is requesting that there be no exemptions from JOBS. Montana would assign individuals to JOBS based upon the needs of the individual rather than on the current mandatory, exempt criteria. Once assigned to JOBS, all participants would be under the requirement to satisfactorily participate or face the possibility of sanction.

- 39) ***Montana's application states that under a FLC, post-secondary education may be considered an acceptable activity and that criteria for participation will be developed by the State. Post-secondary education is currently permitted in Montana's JOBS program and participation criteria are listed in its State Plan. Please clarify whether the post-secondary criteria would differ from Montana's current JOBS State Plan.***

RESPONSE:

Post-Secondary criteria under Welfare Reform may differ from Montana's current JOBS State Plan. When criteria are developed, they will be submitted for federal approval.

- 40) ***Montana requests a waiver of statewideness in order to determine on the basis of need the counties in which JOBS will operate. How would the State decide which counties would receive JOBS program services? Also, the State is reminded that if statewideness is waived, it must amend section 2.3 of its JOBS State Plan.***

RESPONSE:

The State would determine which counties receive JOBS services based upon need for services. In those counties in which adequate employment and training services outside of JOBS exist, the State may decide to remove the JOBS program. The JOBS program will

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be placed in those counties which need the services of intensive case management supplied by the JOBS program and do not have sufficient other employment and training resources to meet the need of Pathways recipients identified as appropriate for referral to JOBS.

- 41) ***Montana would require (a) minor parents under 16 to participate in JOBS and (b) older teen parents without a diploma or GED to participate in all JOBS activities, not only education. Regarding the former provision, would individuals be required to participate in JOBS activities other than regular school attendance? How would compliance with school attendance be measured and monitored? Regarding the latter provision, the JOBS regulations at 45 CFR 250.32 (a) allow the State the flexibility to assign 17-to-20-year-olds to activities other than education where appropriate, based on individual assessment of the case. Montana has chosen to adopt criteria for this provision in its JOBS State Plan. Please clarify whether additional flexibility is needed and explain the rationale for the request.***

RESPONSE:

- (a) ***Minor parents would be required to participate in activities other than regular school attendance if those activities were part of the employability plan and supported the goals of high school diploma or GED attainment and self-sufficiency. Activities would be measured and monitored in two ways: (1) the teen parent would be required to regularly meet with the JOBS case manager; and (2) school attendance would be tracked through case manager contact with school officials.***
- (b) ***Montana does assign older teen parents to a variety of JOBS activities. We do not need additional flexibility with teen parents ages 17-20. We do need the flexibility to assign younger teen parents to a variety of activities.***

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42) The State would sanction Pathways/CSP adults for noncompliance with program requirements by removing the needs of the adults for:

- 1 month for the first noncompliance**
- 3 months for the second noncompliance,**
- 6 months for the third noncompliance, and**
- 12 months for the fourth and subsequent noncompliance.**

Sanctioned adults would lose AFDC-related Medicaid and Food Stamps for the sanction months. HCFA would like Montana to clarify whether a sanction would continue for Medicaid-only cases when an individual's family is no longer eligible for a Pathways payment.

RESPONSE:

The sanction would continue for an adult under AFDC-Medicaid. However, if that adult qualified for SSI-related coverage or became pregnant, the sanction would end.

43) The proposed sanctions for not meeting FIC responsibilities in the CSP would be the same as in Pathways. If an individual were sanctioned while in Pathways before the time limit was reached, would the sanction in CSP be considered a first or second sanction?

RESPONSE:

Sanctions are considered to be consecutive. The first sanction remains the first sanction if the client transitions from Pathways to CSP while serving the disqualification period. If a client does not comply with requirements a second time, whether in Pathways or CSP, the non-compliance will result in the second sanction.

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- 44) *HCFA would like to know whether sanctioned participants would be included for purposes of family size when determining Medicaid eligibility of other family members.*

RESPONSE:

As mentioned previously, in an effort to ensure no one except the sanctioned individual is penalized, we would continue to include the sanctioned person in the family size for determining Medicaid eligibility of other family members. We would like to thank HCFA for pointing this out.

- 45) *The State would restore an adult's needs to the benefit calculation after a sanction "to the first of the month in which the two week satisfactory participation period has been met after the sanction period, whichever comes later." Please clarify.*

RESPONSE:

For the purposes of noncompliance with employment and training participation requirements, Montana is attempting to require that persons must show satisfactory participation before we would add their needs back into the AFDC cash grant. We are proposing that individuals must actually complete participation in those required activities (assuming the activity is still available) for a full two week period before becoming eligible. Once the two week period is completed, the individual would receive payment retroactive to the first of the month in which compliance was completed, if that month is not within the required sanction period.

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Example:

A client does not participate in required Job Search activities, and good cause is not established. This is the first sanction. The sanction month is established for May. (The client is notified prior to April 20 of the sanction). In one example, the client decides that she wishes to overcome the sanction as quickly as possible. As long as she completes two weeks of Job Search prior to July 1, her needs will be paid for the month of June. If she does not decide to comply until June 25 and completes her two weeks July 9, her needs will be paid for the month of July.

We apologize for not being clearer in the waiver request.

- 46) ***The State proposes that adult Medicaid and Food Stamp applicants who quit a job without good cause be ineligible for Medicaid/Food Stamps for 30 days.***

USDA has the following questions about this proposed provision:

- (a) What would the good cause provisions be?***
- (b) Do they differ from those specified at 7 CFR 273.7 (n) (3)?***

HCFA has the following questions about this proposed provision:

- (c) Would this sanction apply to pregnant women?***
- (d) Would the sanction apply if both parents in a two-parent household were working and one were to quit?***
- (e) Would good cause exist if one parent in a two-parent household quit to care for a child?***

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- (f) *Would an adult who quit a job: (i) be eligible to receive employment and training services? (ii) be included in the family size for the purpose of determining Medicaid eligibility of the other family members, e.g., in Medicaid-only cases with two parents when one parent is working and the children apply as Medically Needy? If so, what if the parent quits one month before applying for Medicaid?*

RESPONSE:

- (a) *Montana intends to follow the current good cause provisions specified at 7 CFR 273.7 (n) (3), with the following exceptions: 7 CFR 273.7 (n) (3) (iii) & 273.7 (n) (3) (iv). In addition, we are requesting exception to certain provisions of 7 CFR 273.7 (n) (2), more specifically, the reference to 273.7 (b). We intend to follow the exemptions from work registration (as they apply to voluntary quit) with the following exceptions: 7 CFR 273.7 (b) (1) (iii); 273.7 (b) (1) (iv); 273.7 (b) (1) (v); 273.7 (b) (1) (vii) & 273.7 (b) (1) (viii).*
- (b) *Montana proposes to apply these provisions to all adult household members who would be subject to the sanction, rather than applying the sanctions to only the "head of household".*
- (c) *If a pregnant woman on AFDC quit a job without good cause, her portion of the AFDC grant would be removed. However, Medicaid eligibility would continue because the State has chosen not to disqualify pregnant women from the Medicaid program.*
- (d) *Sanctions for job quit apply to the adult who quit the job. In your question, the second parent would not be sanctioned.*

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(e) Yes.

(f) An adult who quit a job would not be eligible for Pathways Employment and Training services during the sanction period. However, if that adult reestablished Pathways eligibility at the end of the sanction period, he/she could receive Pathways Employment and Training services.

As mentioned previously, the sanctioned adult would be included in the household size when determining Medicaid eligibility of the other family members.

No sanction would be imposed if the adult quit a job more than 30 days before applying for Medicaid.

47) Montana proposes to develop a Community Services Program in which individuals who meet the AFDC time limit would be required to participate for 20 hours per week. A definition of allowable community services would be developed by each community, subject to approval by a State Community Services Work Review Council. The State envisions CSP to be a "pay-for-performance" program.

(a) What are the criteria the State intends to use to determine allowable community services?

(b) Please provide more detail about how the CSP would be operated as a pay-for-performance program; how the State or counties would monitor participation; and how they would provide management oversight of the program.

(c) HCFA would like the State to clarify what safeguards would be established to protect CSP participants against abusive situations.

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RESPONSE:

- (a) Montana intends to seek a vast amount of input prior to making the decision as to acceptable community service activities. We expect to formulate some general types of guidelines for all community service activities, such as they must meet applicable state health and safety regulations. After that, we would have the communities submit their proposals to the State Community Services Work Review Council prior to actually requiring anyone to enter into the program. We would be happy to submit the criteria to you for federal review of acceptability prior to actually implementing the Community Services Program.**
 - (b) Montana currently operates pay-for-performance as a requirement for our AFDC-UP population. (We have a 100% participation requirement in our JOBS program for AFDC-UP). We expect to use the same methodology for CSP. CSP participants will be monitored. Reports on non-compliance will be made to the participant's FAIM coordinator. The coordinator will provide conciliation prior to release of the next month's benefits. If the CSP participant fails to comply, he/she is sanctioned. Benefits will continue for the child(ren).**
 - (c) In Montana's current JOBS program, we have a number of community work experience sites (now referred to as alternative work experience sites). We expect to follow our same practices in ensuring suitability and appropriateness of site selection.**
- 48) Montana does not intend to consider individuals in CSP to be JOBS participants. Elsewhere the application states that Montana would exempt CSP participants for JOBS but would exercise "its option to offer JOBS to CSP participants." What are the consequences of not considering CSP participants as JOBS participants? Please**

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clarify the rationale for this policy and explain the option to which the application refers. How would employment and training and supportive services for non-JOBS CSP participants be funded?

RESPONSE:

Our current design calls for the JOBS program to only be available to Pathways participants, and is therefore limited to two years in duration. Our current design for CSP does not include JOBS participation, however, if we decide in the future to allow JOBS participation to some CSP participants, we will ask to amend our waiver request.

In CSP we are not anticipating expenditures for supportive services other than alternative child care.

We are asking for the ability to use IV-A administrative funds to provide supportive services as necessary for Pathways.

- 49) *The introductory section of Montana's proposal states that child care and transportation will be provided if needed by a participant to fulfill his or her CSP requirement. Further in the application, the State says it would provide only child care for CSP participants. Please clarify.*

RESPONSE:

The introductory section is a misstatement. We apologize for the error. Because of cost-neutrality requirements, we do not believe we can afford to pay for transportation in CSP. CSP participants are responsible to either arrange their own transportation to communityservice sites, or as part of their CSP/FIC responsibilities, to develop a site within their transportation means. If no CSP site

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is available which does not require transportation and the CSP participant is unable to arrange transportation, the individual may be excused from the community service component in CSP.

- 50) *The State would amend Transitional Child Care (TCC) benefits to provide TCC to participants whose total income is less than 133 percent of poverty and who have a child under age 13 or a special needs child. TCC would not be limited to 12 months to the extent that funding is available. How will the State determine the terms of the length of TCC benefits? Would at least 12 months of TCC be guaranteed?*

RESPONSE:

Montana intends to guarantee at least 12 months of TCC to eligible families. If we experience cost-savings in welfare reform, rather than simply achieving cost-neutrality, we would like the flexibility to extend that period. The number of months beyond 12 would depend on available funding.

- 51) *The State would provide TCC for, possibly, up to 12 months to families whose assistance is terminated due to earned income regardless of whether the family received AFDC in at least three months during the six months preceding termination of benefits. Will the three-of-six-months rule continue to apply in determining eligibility for Transitional Medicaid?*

RESPONSE:

No. We are asking that the three-of-six months rule be waived for Transitional Medicaid as well as Transitional Child Care. We apologize for this oversight.

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Although not addressed on the issue paper or clarification conference call, we understand HCFA may have some concerns with the other Transitional Medicaid waiver requests. If there are concerns, please clarify.

- 52) *The AIM application states that potentially eligible Food Stamp households as well as AFDC-related medicaid recipients would be required to apply for SSI. During the 4/25/94 meeting at ACF, Montana staff indicated that individuals who reach the AFDC time limit would be automatically assessed for potential SSI disability eligibility. Increased receipt of SSI attributable to the AIM demonstration would have to be considered as a federal cost for cost-neutrality purposes.***

RESPONSE:

As stated in our response to question 26, this appears to create new cost-neutrality requirements not previously imposed on other states with approved waivers of the same provision requested by Montana.

Regarding SSI entitlement, ACF seems to be attempting to apply two arbitrary conditions, in suggesting that it might attempt to use cost-neutrality to add to the federal fisc both the increased federal costs for clients who become eligible for SSI because they are required to file, and those who become eligible because they are merely assessed for eligibility. As ACF well knows, the Social Security Administration is committed to conduct outreach activities to assure that all individuals eligible for SSI receive these benefits, and spends considerable sums annually to improve outreach (see, for example, 1993 Green Book, pps.859-860). In accord with this focus, all states of which we are aware routinely screen AFDC applicants for SSI eligibility, and, indeed, all states are mandated by ACF regulations to assure those eligible are making every effort to

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receive SSI. States benefit from this mandate because it saves state funds, but also because SSI offers higher benefits which are indexed, assuring that SSI income keeps up with inflation. Further, many states have special SSI Advocacy projects, providing for state-assisted SSI application development, with which the Social Security Administration fully cooperates. States are not required to obtain special approval from ACF or FNS to conduct such activities on behalf of the Social Security Administration.

Finally, since the pursuit of SSI is mandated through ACF regulation any extra effort the State puts forth to ensure that pursuit should be seen by ACF as a compliance effort. Asking Montana to be placed into a potential state funds liability situation because the State is going to make that extra effort is unreasonable. If wording changes to the waiver document are necessary to make the pursuit of SSI a non-cost-neutrality issue, then suggestions from ACF would be appreciated. Also, it does not appear to us that Montana needs any special permission to do the SSI pursuit, even if we did not have a demonstration project. ACF and the Social Security Administration would likely be applauding us for our efforts.

- 53) *Montana would require AFDC-related Medicaid cases with potential SSI eligibility to apply as needed. HCFA would like the State to clarify whether it would also require individuals in Medicaid-only cases to apply for SSI. HCFA's concern regards an individual family member's SSI receipt which may make the rest of the family ineligible for Medicaid. Also, HCFA would like to know why the State has requested to waive sections 1902 (b) (3) and 1902 (a) (8) of the Social Security Act?***

RESPONSE:

During the State's clarification conference call, HCFA indicated the question applied to SSI-related (elderly or disabled) and Pregnant

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Women Medicaid coverage. Montana is not proposing to make any changes to SSI-related Medicaid. However, Montana is proposing to require all AFDC-related Medicaid applicants to apply for SSI benefits if it appears they may be eligible. We believe it is vital to the family's self-sufficiency that each household member receive any and all benefits to which he/she is entitled. Since SSI payment amounts are generally higher than AFDC amounts and receipt of SSI guarantees Medicaid coverage to the recipient, Montana would like to ensure that all potential SSI applicants apply for the benefit.

Section 1902 (b) (3) and 1902 (a) (8) are not requested to be waived. We apologize for the error.

- 54) ***HCFA suggests that the State may wish to consider requesting a waiver of section 1902 (a) (17) (D) in order to avoid any complications with courts' interpretations of whose income and resources may be used to determine Medicaid eligibility.***

RESPONSE:

On page III-58 of our waiver document, we ask for this section to be waived in order for AFDC-related Medicaid budgeting to follow AFDC budgeting procedures. Is HCFA agreeing that requesting this section of the Social Security Act to be waived will accomplish this objective?

- 55) ***Montana would disregard from income calculations for AFDC, Food Stamps, and Medicaid educational income of students. How would "student" be defined? Also, HCFA would like the State to clarify what is meant by educational income; i.e., does it include scholarships, tuition, room and board, work study?***

RESPONSE:

The definition of student, as it pertains to post-secondary education, is as follows: a student is a person attending an institution of higher education such as a college, university, or vocational-technical school as an undergraduate.

Educational income includes all grants and loans made by or insured under any programs administered by the commissioner of education under Title IV of the Social Security Act and Bureau of Indian Affairs student assistance programs. Such assistance includes but is not limited to Pell Grants, Supplemental Educational Opportunity Grants, State Student Incentive Grants, and college work study.

In addition, payments from the Veterans' Administration and other non-federal sources such as private or State scholarships and awards may also be excluded.

- 56) ***The State would change the treatment of lump sum income for AFDC and AFDC-related Medicaid by dividing the amount of the lump sum received by the established resource limit to determine a period of ineligibility for each program. The period of ineligibility would follow the needy caretaker relative. HCFA would like to know if a family would become ineligible if joined by a new member/caretaker who has lump sum income that exceeds the resource limitation.***

RESPONSE:

The family could become ineligible if joined by a new member/caretaker who is required to be included in the filing unit and who has an established ineligibility period due to the receipt of a lump sum.

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- 57) *Montana would allow JSP, Pathways, and CSP participants a \$100 work expense disregard plus a 25 percent earned income disregard for JSP and Pathways participants. Would these disregards be applied to Medicaid-only participants?*

RESPONSE:

If HCFA means SSI-related (elderly and disabled individuals), these disregards do not apply to them. If HCFA defines Medicaid-only as AFDC-related, households which pass the gross monthly income test would receive these disregards.

- 58) *For AFDC and Food Stamps the State would add new family members to the case with the month after the month reported. Would this apply to Medicaid-only cases as well? HCFA points out that newborns are automatically eligible for Medicaid if born to a Medicaid recipient. Does the State intend to request a waiver of this provision?*

RESPONSE:

No. Montana has no plans to change when new members of the household, including newborns, may be added for Medicaid coverage.

- 59) *Montana would share information about AFDC and Food Stamp clients with agencies under contract to the State to facilitate applicant and recipient eligibility for other benefits and services, e.g., LIHEAP, employment and training. What efforts would the State undertake to develop and maintain methods to safeguard the confidentiality of information pertaining to AFDC and Food Stamp clients?*

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Further, USDA would like Montana to clarify the rationale for this waiver. Please include in the response what kind of information will be shared and with whom will it be shared other than Food Stamp E&T providers.

RESPONSE:

Each contract that the Department issues for purposes of providing services includes a paragraph that requires the contractor to adhere to Department confidentiality rules and regulations. Below is Section 19 of the Department contractual language that addresses confidentiality. The State is confident that this language is sufficient for safeguarding information which is released to such agencies for the purposes of providing issuance of benefits to all clients more efficiently.

Information intended to share with other agencies includes basic household demographic information such as number of children, ages of children, family background, and household composition. Additional information may include educational assessments, job history information, employment and training activities, work site locations, and various other pertinent information to assist agencies to become familiar with clients to whom services are being provided.

SECTION 19. CONFIDENTIALITY

THE CONTRACTOR SHALL, IN ACCORDANCE WITH RELEVANT LAWS, REGULATIONS AND POLICIES, INCLUDING THE 1988 DEPARTMENT POLICY ON CONFIDENTIALITY OF CLIENT INFORMATION, PROTECT THE CONFIDENTIALITY OF ANY MATERIAL AND INFORMATION CONCERNING AN APPLICANT FOR OR RECIPIENT OF SERVICES FUNDED BY THE DEPARTMENT.

THE
OFFICE OF THE
ATTORNEY GENERAL
STATE OF NEW YORK

IN SENATE,
January 12, 1911.
REPORT
OF THE
ATTORNEY GENERAL
FOR THE YEAR 1910.

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- 60) *Montana intends to use the AFDC Administrative Fraud disqualification for demonstration treatment cases. HCFA would like to know whether this would affect Medicaid-only cases.*

RESPONSE:

The answer is no. Our intention to implement the AFDC administrative fraud disqualification procedures only impacts AFDC.

- 61) *In its application Montana proposes to expand services to teen parents using "untapped Federal resources under the Medicaid program." HCFA would like the State to clarify the resources to which it is referring.*

RESPONSE:

We are not asking for waiver authority to expand our services to teen parents. The specific program being discussed at this time is under Medicaid targeted case management.

- 62) *HCFA would like the State to address how this proposal may affect Native Americans and their entitlement to Medicaid, especially in terms of coverage and services they obtain through the Indian Health Service (IHS), funded by the Public Health Service. Also, to the extent that receipt of IHS services increases due to the demonstration, increased Federal costs in the IHS would have to be considered in calculating cost-neutrality.*

RESPONSE:

Service delivery for Native Americans is currently accomplished by:

- 1) Services delivered in IHS-owned or leased facilities which***

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contract with IHS. These services are provided using 100% Federal funds.

2) Services delivered by non-IHS owned or leased facilities. Recipients of these services are treated the same as the general Medicaid populations.

3) Services delivered by Tribal Health Organizations. These are currently in the process of being established and will treat recipients the same as in #2.

For services delivered in IHS-owned or leased facilities, no impact is expected and no change in coverage is planned.

For services delivered by Tribal Health or non-IHS providers, the coverage changes will be as specified in Montana's Waiver Request Package for non-Native American populations.

Our state is experiencing a potential new cost because some IHS facilities in Montana may be allowed to convert to regular Medicaid providers. While we are in the process of setting up Tribal Health providers as regular Medicaid providers, we currently have none established and billing the State. We do expect that several IHS facilities will convert to Tribal facilities in the future, and, if IHS impact is mandated to be part of cost-neutrality, we would expect the impact of increased Federal cost to IHS to be more than offset by the savings gained from shifting the cost to the State by converting IHS-owned or leased facilities (100% Federally funded) to Tribal-operated (FMAP%).

- 63) The State proposes to allow Food Stamp Program participation for the family to continue up to 90 days when a child is temporarily absent. Montana has requested a waiver to change the household definition to include temporarily absent children. USDA has proposed an alternative to changing the household definition. USDA**

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suggests a waiver of the reporting requirements at 7 CFR 273.12 (a) (ii) whereby changes in household composition must be reported, except when an AFDC-eligible child temporarily leaves the home for less than 90 days.

RESPONSE:

Thank you for your proposed alternative. However, Montana would like to maintain our original waiver as requested as it promotes equity between AFDC and non-AFDC recipients in the eligibility determination process. This request also provides program simplification for AFDC, AFDC-related Medicaid and Food Stamp programs.

- 64) *Montana proposes to make Food Stamps a continuous benefit with eligibility reevaluated with yearly redetermination. Elsewhere in the application, the State proposes to recompute benefit levels for households with earned income on a quarterly basis, rather than month. USDA would like Montana to clarify exactly how frequently eligibility and benefit determinations would be done. HCFA would like to know how frequently the State would review Medicaid-only cases.*

RESPONSE:

We apologize for the confusion. These are two different issues. The first is our proposal to change the Food Stamp procedure of "recertification" to one of "redetermination". We believe that most families need a full review of their case once per year. The AFDC program calls that review a "redetermination", and it essentially means that benefits are open-ended, until notice of closure is sent to the family. Food Stamps sets a specific time for leaving a Food Stamp case open. Prior to the end of that time, a process is gone

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through to notify the family of closure of Food Stamps and the reapplication procedure—called "recertification". The ultimate result in both cases is a complete review of the case for continued eligibility. Using the redetermination procedure for all programs simplifies the explanation and promotes consistency by using the same terminology and same requirements for conducting annual case reviews.

The second issue deals with reporting requirements. Montana currently requires AFDC and Food Stamp households with earned income to report to us monthly about their earnings and expenses related to those earnings. We use that information to budget household benefits, currently on a retrospective basis for those households. All other information and all other AFDC and Food Stamp households and all Medicaid households are subject to change reporting requirements, and are budgeted prospectively.

Montana is proposing that our earned income households begin to report quarterly (complete a quarterly report form) on their earnings for the AFDC and Food Stamp programs. We further propose that all households and all programs be prospectively budgeted.

Medicaid cases will continue to be subject to an annual case review using the current redetermination process.

65) **The State proposes to establish common definitions among AFDC, Food Stamps and Medicaid Programs. USDA requests the following clarifications:**

(a) **If Montana intends to propose "yearly redeterminations", how would they be conducted? Will these redeterminations involve a face-to-face interview and verification of household**

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circumstances? It is not clear why the State is requesting a waiver "to extend the 12 month face-to-face recertification" requirements if "yearly redetermination" will be conducted?

- (b) The State is requesting a waiver of 7 CFR 273.2 (f). Please clarify which specific provisions of 273.2 (f) are to be waived. Income Eligibility Verification System (IEVS) is addressed under 273.2 (f) (9). Is the State also requesting waiver of the Systematic Alien Verification for Entitlements (SAVE) provisions at 273.2 (f) (10)? 273.2 (f) (2) (i) addresses citizenship is questionable. If a waiver of 273.2 (f) (2) (i) is being requested, please clarify why the State is requesting this waiver.*
- (c) The State cites section 6 (f) of the Food Stamp Act in regard to verification of citizenship requirements. Section 6 (f) does not specify verification requirements. Please clarify this waiver request.*
- (d) The State cites section 11 (n) of the Food Stamp Act in reference to the elimination of "IEVS and declaration of citizenship verification requirements." Section 11 (n) pertains to verification of duplicate receipt of benefits in States that provide State supplemental payments or cash benefits. Please clarify this waiver request.*

RESPONSE:

- (a) Montana intends to require a yearly face-to-face interview with all AFDC Pathways, CSP and Food Stamp cases. A full case review would be conducted at that time. We hope the explanation to item # 64 further clarifies our reasoning for asking to have one redetermination process for AFDC and Food Stamps. The waiver request should not have used the*

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term "extend" the 12 month face-to-face recertification process, but should have asked to "change" the recertification process to an annual face-to-face redetermination process.

- (b) We apologize for the omission. We are requesting 7 CFR 273.2 (f) (9) and 272.8 be waived to allow verification through the IEVS system only when information available through other sources is questionable.**

The State is asking for the waiver of 273.2 (f) (1) (ii) (E) in the SAVE process. This area instructs states that if non-INS documentation is accepted by the State, the State shall photocopy the document and transmit to INS for verification. However, the State shall not delay, deny, reduce or terminate the individual's eligibility on the basis of the individual's immigration status. The State is asking that when we accept non-INS documentation, we are not required to photocopy the document and access the SAVE system.

- (c) This cite was included because it set out the lawfully admitted resident/citizenship requirements and Montana believed verification of such status was implied by the requirement. Does USDA have different cites which they wish us to use?**

- (d) We apologize for the erroneous cite. Montana is requesting the requirements set forth in Section 11 (e), page 48 of the Food Stamp Act, be waived.**

- 66) Montana wishes to modify the SAVE and IEVS requirements to use them only when the State determines it is warranted by a specific case for purposes of AFDC, Food Stamps, and Medicaid. The programs which must participate in SAVE/IEVS include AFDC, Medicaid, Food Stamps, Unemployment Compensation under section 3304 of the Internal Revenue Code, and any state program under authority of title I, X, XIV, or XVI of the Social Security Act.**

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Please clarify how SAVE/IEVS would be used in the demonstration, and how the systems would be maintained. A primary concern is that data in the systems be updated and maintained so that they may be used for non-demonstration program applications, e.g., Unemployment Compensation.

Also HCFA would like Montana to clarify the rationale for making SAVE an optional system. Specifically, how would the State get necessary information regarding emergency services for Medicaid?

RESPONSE:

We are asking that we only be required to access SAVE and use IEVS information if documentation provided is questionable. The systems will continue to be maintained by the State and Federal agencies responsible for their upkeep and maintenance. Montana is not asking to change the IEVS or SAVE systems, but rather to allow their use to become optional instead of mandatory. This request will save our Montana staff time that they can then devote to assisting recipients in achieving self-sufficiency.

Regarding emergency services for Medicaid, the State proposes to continue the current process of requiring aliens to provide alien status documentation for each household member. If the documentation is questionable, it will be verified through the SAVE process. If it is not questionable, eligibility will be immediately determined according to the applicable policy, with no alien verification required through SAVE. Eligibility determination will not be delayed pending SAVE verification in those cases where immigration status is questionable.

- 67) *The State proposes to create a new employment and training program which encompasses the JOBS and Food Stamp E&T Programs. This new program would serve AFDC/Food Stamp*

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households and would be funded by utilizing JOBS, Food Stamp E&T and title IV-A funding.

- (a) Montana would consider JOBS a subset of the demonstration's employment and training program and would develop an "enhanced role for education" under the JOBS program while utilizing title IV-A funding. As discussed above, ACF policy allows the use of IV-A administrative funds for employment and training services if a state reaches its JOBS limit of entitlement while implementing a demonstration. Please clarify the request for use of IV-A funding for employment and training and whether the State intends to use JOBS funds in ways different from current program rules.*

USDA requests the following clarifications:

- (b) It appears that the State is requesting a waiver to eliminate the Food Stamp work registration process at 7 CFR 273.7 (a) and (b). Currently, State Food Stamp E&T funding is based partially on each State's work registrant population as a percentage of the national total of work registrants. Therefore, it is vital that Montana continue to provide accurate work registrant data.*
- (c) Will the State continue to provide Food Stamp E&T data as currently required at 7 CFR 273.7 (c) (6)? Some of this data is used to calculate the performance-based E&T funding.*
- (d) The State's Food Stamp E&T Program provided services to 7,630 Food Stamp recipients in Fiscal Year 1993. How many Food Stamp recipients are expected to be served annually under the demonstration?*

RESPONSE:

- (a) ***As stated previously, Montana anticipates to require 100% of the AFDC cash assistance population to complete participation requirements towards achieving family stability and self-sufficiency. As JOBS funds are capped and the JOBS program will be changed so that the program serves those most in need of intensive case management, the Pathways program will refer the majority of the AFDC population into other employment and training opportunities. IV-A administrative funds would be used for Employment & Training activities, purchase of service, and supportive services provided to Pathways participants not in the JOBS program.***

Also, as clarified in the State's conference call, this waiver request is asking to use the IV-A administrative funds to offset costs in the new E&T program. We are not asking to change JOBS funding or the use of funds toward the JOBS program.

- (b) ***Montana does not intend to change the current Food Stamp work registration process. However, we are asking that the Food Stamp Employment and Training money be allowed for serving the Food Stamp households who also receive AFDC cash assistance in the Pathways program. Montana is defining that population as the greatest in need. With Food Stamp E&T money, as well as IV-A administrative funds, we believe we can deliver an effective program, while maintaining cost-neutrality.***
- (c) ***We anticipate to still collect and share data on the Food Stamp population who also receive AFDC cash assistance for whom we use Food Stamp E&T money.***

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(d) The unduplicated number of food stamp recipients to be served under a JOBS-FSJS demonstration project would be approximately 5,500. These recipients would be Food Stamp clients with barriers to employment who would most benefit from intensive case management and services such as: basic and remedial education, literacy training, chemical dependency and mental health counseling as primary services. As barriers are being addressed, these Food Stamp clients would also be placed in appropriate activities such as job search, job skills training, work experience, OJT, and other intensive employment training services.

68) The State proposes that a Standard Utility Allowance (SUA) be allowed for all Food Stamp households. Please confirm that a single SUA will be provided in the amount of \$225. As proposed, actual expenses can be chosen only if the client proves average monthly expenses over the certification period exceed the SUA. Are there any restrictions as to when the client may switch from the SUA to actual expenses--just at certification or the yearly redetermination? How will households that share utilities with non-household members be treated?

RESPONSE:

Montana does anticipate to continue the SUA amount at \$225 for now. If that amount were to change, we would propose an amendment to the waiver. We expect to offer the switch from SUA to actual expenses at yearly redetermination and whenever the household moves. Households that share utilities with non-household members will have the SUA prorated according to current proration procedures.

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